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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/249,916 02/12/99 HOERNER B 29020/96007B

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PM82/0726

EXAMINER

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LEV. B	
ART UNIT	PAPER NUMBER

3634
DATE MAILED: 07/26/00

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/249,916

Applicant(s)
Hoerner

Examiner
Bruce A. Lev

Group Art Unit
3634



☒ Responsive to communication(s) filed on June 20, 2000 as Amendment B

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 17-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 17-20 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 17, 18, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Albrecht 5,848,508.

As concerns claim 17, Albrecht sets forth a panel for a sectional door comprising a frame 30 defining at least one central area; and a plurality of material layers (inclusive of layers 18, 20, and 22) received within the central area and held in place by the frame, the layers being movable relative to each other.

As concerns claim 18, Albrecht sets forth the frame comprising first and second aluminum extrusions 30 joined together by at least one weldment (viewed as the connection means between the frame members 30 as illustrated in Figure 1).

As concerns claim 20, Albrecht sets forth the sectional door panel, as advanced above, including the method of providing a frame defining a central area; and inserting layers of material into the central area, and to provide relative movement between the layers.

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Claim Rejections - 35 USC § 103

3. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Albrecht in view of Shaner 5,445,208.

Albrecht sets forth the panel, as advanced above, except for the use of a polystyrene core and polyethylene layers. **What Albrecht does not set forth** is the combination of a styrene core sandwiched between polyethylene skin layers. However, **Shaner teaches** that it is known in the art to form panels comprising a polystyrene core and polyethylene layers (as discussed in column 2, line 29 through column 3, lines 8, and column 4, line 43, through column 5, line 2). Therefore, it would have been obvious to modify the panels of Albrecht by incorporating a combination of a styrene core sandwiched between polyethylene skin layers, as taught by Shaner, in order to reduce the weight and increase the strength of the overall panel.

Response to Amendment

4. Applicant's remarks filed June 20, 2000 have been fully considered but they are deemed moot due to the new grounds of rejection, as advanced above.

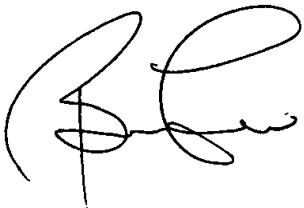
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bruce A. Lev whose telephone number is (703) 308-7470.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-2168.

July 25, 2000

A handwritten signature in black ink, appearing to be 'B. Lev', with a large, stylized initial 'B' and a cursive 'Lev'.

Bruce A. Lev

Patent Examiner

Group 3600